

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

UNITED STATES OF AMERICA, §  
§  
§      CASE NUMBER 6:22-CR-00015-JDK  
v. §  
§  
§  
§  
ALIJUAH MALACHI GARCIA (1), §  
§  
§

**FINDINGS OF FACT AND RECOMMENDATION ON  
GUILTY PLEA BEFORE THE UNITED STATES MAGISTRATE JUDGE**

Pursuant to 28 U.S.C. § 636(b), this matter has been referred by the District Court for administration of a plea of guilty under Rule 11 of the Federal Rules of Criminal Procedure.

On May 25, 2022, this cause came before the undersigned United States Magistrate Judge for a plea of guilty to an Indictment charging the Defendant in Count Two with a violation of Title 21 U.S.C. § 841(a)(1) - Possession with the Intent to Distribute Cocaine. After conducting said proceeding in the form and manner prescribed by FED. R. CRIM. P. 11, the undersigned finds that:

- a.      Defendant, after consultation with counsel of record, has knowingly and voluntarily consented to the administration of the Guilty Plea in this cause by a United States Magistrate Judge, subject to a final acceptance and imposition of sentence by the District Judge;
- b.      Defendant and the government have entered into a plea agreement which has been filed and disclosed in open court pursuant to FED. R. CRIM. P. 11(c)(2);
- c.      Defendant is fully competent and capable of entering an informed plea, that the defendant is aware of the nature of the charges, the maximum penalties, and the consequences of the plea, and that the plea of guilty is a knowing and voluntary plea supported by an independent basis in fact containing each of the essential elements of the offense; and

